Reg. No. KLNA—25.

Karnataka Gazette

PUBLISHED BY AUTHORITY

(EXTRAORDINARY)

PART IV

SECTION 2-B (i)

BANGALORE, MONDAY, OCTOBER 20, 1975
(ASVIJA 28, SAKA ERA 1897).

No. 3755

LAW AND PARLIAMENTARY AFFAIRS SECRETARIAT

Notification No. LAW 42 LGN 75.

Bangalore, dated 18th October 1975.

Ordered that the Karnataka Municipal Laws (Amendment) Ordinance, 1975 promulgated by the Governor of Karnataka in the Twenty-sixth year of the Republic of India, be published as Karnataka Ordinance No. 14 of 1975 in the *Karnataka Gazette* for general information.

KARNATAKA ORDINANCE No. 14 OF 1975.

The Karnataka Municipal Laws (Amendment) Ordinance, 1975.

(Promulgated by the Governor of Karnataka in the Twenty-sixth Year of the Republic of India and first published in the **Karnataka Gazette** *on the Twentieth day of October, 1975).*

An ordinance to amend certain laws relating to Municipal Councils and Municipal Corporations as in force in the State of Karnataka.

WHEREAS the Karnataka Legislative Assembly is not in session and only the Karnataka Legislative Council is in session and the Governor of Karnataka is satisfied that circumstances exist which render it necessary for him to take immediate action further to amend certain laws relating to the Municipal Councils and Municipal Corporations as in force in the State of Karnataka;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution of India the Governor of Karnataka is pleased to promulgate the following ordinance, namely:—

1. **Short title, extent and commencement.**—(1) This Ordinance may be called the Karnataka Municipal Laws (Amendment) Ordinance, 1975.

(2) It extends to the whole of the State of Karnataka.

(3) It shall come into force at once.

2. **Amendment of Mysore Act 69 of 1949.**—In section 142 of the City of Bangalore Municipal Corporation Act, 1949 (Mysore Act 69 of 1949) for the words "the amount of the consideration for sale, the value of the property in the case of a gift or the amount secured by the mortgage, the value of the property of the greater value in the case of exchange", the words "the market value of the property which is the subject matter of sale or gift or the amount secured by the mortgage, the market value of the property of greatest value which is the subject matter of exchange" shall be substituted.

3. Amendment of Karnataka Act 22 of 1964.—In sub-section (1) of section 99 of the Karnataka Municipalities Act, 1964(Karnataka Act 22 of 1964) for the words "the amount of the consideration for the sale, the value of the property in the case of a gift or the amount secured by the mortgage, the value of the property of the greater value in the case of exchange", the words "the market value of the property which is the subject matter of sale or gift or the amount secured by the mortgage, the market value of the property of greatest value which is the subject matter of exchange" shall be substituted.—

4. Amendment of Bombay Act No. LIX of 1949.— In the Bombay Provincial Municipal Corporations Act, 1949 (Bombay Act No. 59 of 1949),—

(1) after sub-section (2) of section 127, the following sub-section shall be inserted, namely :—

"(2A) The Corporation may, with the previous sanction of the Government, levy a duty on transfers of immovable property in the shape of an additional stamp duty",

(2) after section 149, the following section shall be inserted namely ;—

"*149A. Duty on transfers of immovable properties.*— (1) The Duty on transfers of immovable property shall be levied in the form of a surcharge on the duty imposed by the Karnataka Stamp Act, 1957, on instruments of sale, gift mortgage, exchange and lease in perpetuity, of immovable property situated within the limits of the Corporation at a rate not exceeding two percentum on, as the case may be, the market value of the property which is the subject matter of sale or gift or the amount secured by the mortgage or the market value of the property of greatest value which is the subject matter of the exchange or on the value of the rent for the first ten years, in the case of lease as set forth in the instrument.

(2) On the introduction of the transfer duty,—

(a) section 28 of the Karnataka Stamp Act, 1957 shall be read as if it specifically required the particulars to be set forth separately in respect of the property situated within and without the Corporation limits;

(b) section 61 of the Karnataka Stamp Act, 1957 shall be read as if it referred to the Corporation as well as the Government.

(3) No duty shall be chargeable—

(i) in respect of any instrument executed by or on behalf of or in favour of the Government in cases where but for this exemption the Government would be liable to pay the transfer duty under this section in respect of such instrument; or

(ii) in respect of any instrument exempted from the stamp duty under the Karnataka Stamp Act, 1957.

(4) The State Government may make rules for regulating the collection of the duty, the payment thereof to the Corporation and deduction of any expenses incurred by the Government in the collection thereof."

MOHANLAL SUKHADIA

GOVERNOR OF KARNATAKA

By Order and in the name of the Governor of Karnataka,

M. L. RAMASWAMI,

Draftsman and Ex-officio *Joint Secretary to Government, Department of Law and Parliamentary Affairs.*

Printed by the Director of Printing, Sty. & Publications at the Govt. Press, B'lore.